

Case No. _____

Nixon & Vanderhye P.C. (12/97)

RULE 63 (37 C.F.R. 1.63)
DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

ORAL PHARMACEUTICAL COMPOSITION

the specification of which (check applicable box(es)):

☐ is attached hereto
☒ was filed on June 11, 2001 as U.S. Application Serial No. _____
☒ was filed as PCT international application No. PCT/JP00/07045 on October 11, 2000
and (if applicable to U.S. or PCT application) was amended on _____

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with 37 C.F.R. 1.56. I hereby claim foreign priority benefits under 35 U.S.C. 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed or, if no priority is claimed, before the filing date of this application:

Priority Foreign Application(s):

Application Number
290341/1999Country
JapanDay/Month/Year Filed
12/10/1999

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

Application Number

Date/Month/Year Filed

I hereby claim the benefit under 35 U.S.C. 120/365 of all prior United States and PCT international applications listed above or below and, insofar as the subject matter of each of the claims of this application is not disclosed in such prior applications in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. 1.56 which occurred between the filing date of the prior applications and the national or PCT international filing date of this application:

Prior U.S./PCT Application(s):

Application Serial No.

Day/Month/Year Filed

Status: patent
pending, abandoned

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. And I hereby appoint **NIXON & VANDERHYE P.C., 1100 North Glebe Rd., 8th Floor, Arlington, VA 22201-4714, telephone number (703) 816-4000** (to whom all communications are to be directed), and the following attorneys thereof (of the same address) individually and collectively my attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and with the resulting patent: Arthur R. Crawford, 25327; Larry S. Nixon, 25640; Robert A. Vanderhye, 27076; James T. Hosmer, 30184; Robert W. Faris, 31352; Richard G. Besho, 22770; Mark E. Nusbaum, 32348; Michael J. Keenan, 32106; Bryan H. Davidson, 30251; Stanley C. Spooner, 27393; Leonard C. Mitchard, 29009; Duane M. Byers, 33363; Jeffrey H. Nelson, 30481; John R. Lastova, 33149; H. Warren Burnam, Jr. 29366; Thomas E. Byrne, 32205; Mary J. Wilson, 32955; J. Scott Davidson, 33489; Alan M. Kagen, 36178; William J. Griffin, 31260; Robert A. Molan, 29834; B. J. Sadoff, 36663; James D. Berquist, 34776; Updeep S. Gill, 37334.

Inventor's Signature:	<u>Masaaki Nomura</u>	Date:	<u>July 2, 2001</u>
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Inventor's Signature:	<u>Takumi Kojima</u>	Date:	<u>July 2, 2001</u>
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Inventor's Signature:	<u>Shigenori Nozawa</u>	Date:	<u>July 2, 2001</u>
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(Zip Code)			

FOR ADDITIONAL INVENTORS, check box ☐ and attach sheet with same information and signature and date for each.

ASSIGNMENT OF U.S. PATENT RIGHTS

(Invent rs) Masaaki NOMURA
Takumi KOJIMA
Shigenori NOZAWA

In consideration of the sum of one dollar (\$1.00) and other good and valuable considerations paid to each of the undersigned, the undersigned agree(s) to assign and hereby does assign, transfer and set over to
 (Assignee) SUNTORY LIMITED
 (Address) 1-40, Dojimahama 2-chome, Kita-ku, Osaka-shi, Osaka 530-8203 Japan
 (Title) ORAL PHARMACEUTICAL COMPOSITION
 for which the undersigned has (have) executed on even date herewith an application for patent in the United States of America or, if not on even date, then has executed on or has already filed U.S. application Serial No. 09/857,795, on June 11, 2001.
 The undersigned acknowledges an obligation of assignment of this invention to said assignee at the time the invention was made.

The undersigned agree(s) to execute all papers and documents necessary in connection with the application or any interference which may be declared and any continuing or divisional applications thereof and also to execute separate assignments in connection with such applications as the Assignee may deem necessary or expedient and further to perform any act which may be necessary in connection with claims or provisions of the International Convention for Protection of Industrial Property or similar agreements.

The undersigned agree(s) to perform all affirmative acts which may be necessary to obtain a grant of a valid United States patent to the Assignee.

The undersigned hereby authorize(s) and request(s) the Commissioner of Patents to issue any and all Letters Patent of the United States resulting from said application or any division or divisions or continuing applications thereof to the said Assignee, as Assignee of the entire interest, and hereby covenants that he has (they have) full right to convey the entire interest herein assigned, and that he has (they have) not executed and will not execute, any agreement in conflict herewith.

The undersigned hereby grant(s) the firm of NIXON & VANDERHYE P.C. the power to insert on this assignment any further identification which may be necessary or desirable in order to comply with the rules of the United States Patent Office for recordation of this document.

In witness whereof, executed by the undersigned on the date(s) opposite the undersigned signature(s).

Date July 2, 2001 Signature of inventor

Masaaki Nomura
 Masaaki NOMURA

Date July 2, 2001 Signature of inventor

Takumi Kojima
 Takumi KOJIMA

Date July 2, 2001 Signature of inventor

Shigenori Nozawa
 Shigenori NOZAWA

Date Signature of inventor

Date Signature of inventor

Witnessed by: Tomokazu Takai

Date July 2, 2001

Witnessed by: Yoshihiko Muramatsu

Date July 2, 2001